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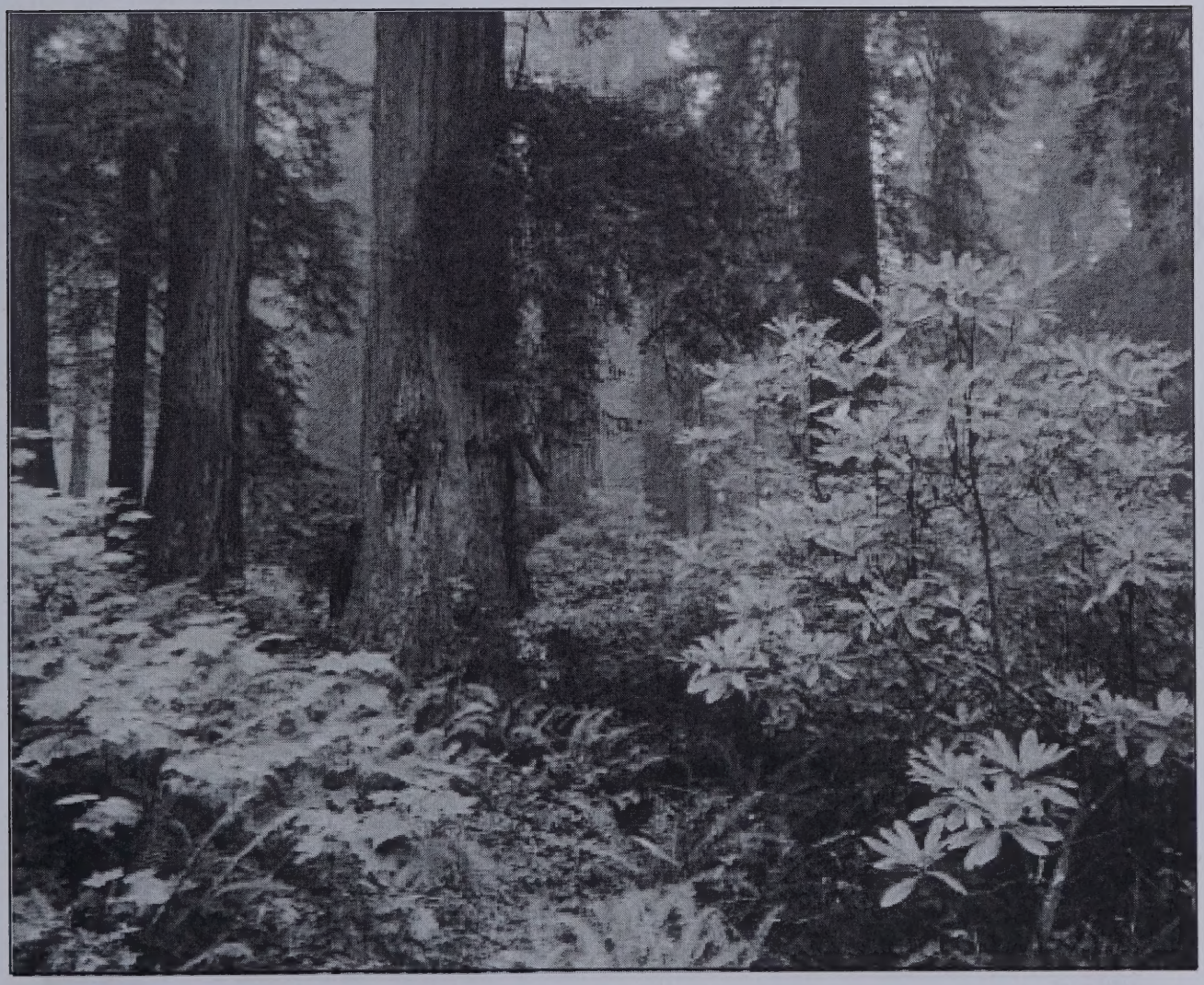
June 2004

Record of Decision
for
Headwaters Forest Reserve Resource Management Plan



United States Department of Interior
Bureau of Land Management

Record of Decision
for the
Headwaters Forest Reserve
Resource Management Plan

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USDI Bureau of Land Management
Arcata Field Office
and
California Department of Fish and Game
Eureka, CA

Recommended:

Lyndil J. Roush — Date
Arcata Field Manager
Bureau of Land Management

Approved:

Mike Pool — Date
California State Director
Bureau of Land Management

Summary/Background

Located in the north coast region of California, the Headwaters Forest was acquired by the United States Department of Interior (USDI) and the State of California on March 1, 1999, to preserve the last unprotected large stand of old-growth redwood forest. Unique ecological values of the forest include

- a highly intact, functioning old-growth forest ecosystem that has very large old-growth redwood and Douglas-fir trees;
- a high diversity of plant species in the forest understory;
- nesting of threatened marbled murrelets and northern spotted owls; and
- undisturbed headwater stream habitat for threatened coho and chinook salmon and steelhead trout.

The federal legislation authorizing acquisition of the Headwaters Forest

- established a specific boundary and points of access;
- called for joint federal-state acquisition, with management by the federal government and an easement granted to the state to guarantee conservation management; and
- required the development of a management plan.

The acquisition was part of a comprehensive agreement among the USDI, the State of California (State), and Pacific Lumber Company (PALCO) that created a natural reserve – the Headwaters Forest – and required PALCO and the Fish and Wildlife Service (FWS) to complete a Habitat Conservation Plan (HCP) for the remaining PALCO lands in Humboldt County (200,000 acres). The State also prepared a Sustained Yield Plan. The HCP provides a mechanism under the federal Endangered Species Act (ESA) for PALCO to "take" listed species in the course of their timber operations (section 10). Monitoring of marbled murrelet populations and watershed conditions in the pristine habitats of the Headwaters Forest is called for in the HCP to provide baseline information for understanding effects of timber management on PALCO private lands.

The HCP states that the ". . . primary benefit to the murrelet associated with the proposed project is the public acquisition of the Headwaters Forest . . . arguably the most important parcel of habitat in private ownership in the 3-state range of the marbled murrelet" and notes that it is being placed " . . . under permanent protection." The acquisition was the pivotal conservation measure of the HCP. Also, as part of this HCP, the California Department of Fish and Game (DFG) issued a 2081 permit to PALCO under the California ESA that allows "incidental take" of listed wildlife species on PALCO's remaining lands, which was also an integral part of the overall strategy for acquisition of the Headwaters Forest and protection of threatened and endangered species inhabiting it. The HCP states that " . . . approximately 20 years after issuance of the incidental take permit, marbled murrelet habitat on the property (private) would be at its lowest expected amount, mostly confined to the uncut old-growth and residual stands." At that time, the Headwaters Forest would contain 35 percent of that habitat.

The specific 7,472-acre tract acquired includes 3,088 acres of unharvested redwood groves surrounded by 4,384 acres of previously harvested forest and brushlands. USDI, Bureau of Land

Management (BLM) manages the Headwaters Forest Reserve (Reserve), and DFG represents the State of California interest in the Reserve.

Federal Legislation Authorizing Headwaters Forest Reserve. In legislation authorizing the purchase of the Headwaters Forest, Congress directed the Secretary of the Interior to prepare a long-term plan for its management in consultation with the State of California (1998 Department of the Interior and Related Agencies Appropriations Act, P.L 105-83). Congress established the following management goal for this plan:

> "conserve and study the land, fish, wildlife, and forests occurring on such land while providing public recreation opportunities and other management needs."

Additionally, Congress directed that the plan "shall guide general management of the Headwaters Forest... [and]... address the following management issues

A) scientific research on forests, fish, wildlife, and other such activities that shall be fostered and permitted on the Headwaters Forest;
B) providing recreation opportunities on the Headwaters Forest;
C) access to the Headwaters Forest;
D) construction of minimal necessary facilities within the Headwaters Forest so as to maintain the ecological integrity of the Headwaters Forest;
E) other management needs;
F) an annual budget for management of the Headwaters Forest, which shall include a projected revenue schedule (such as fees for research and recreation) and projected expenses."

This legislative direction mandates a hierarchy of priorities in land management, in which resource conservation, maintenance of ecological integrity, and research are the primary purposes of acquiring the Headwaters Forest. Recreation, facility development, and management needs must be balanced with these primary purposes as interpreted through development of a "concise management plan." The authorizing legislation also required that future additions to the Reserve can only be made through federal legislative action.

Points of Access. The legislation established the boundary of the Reserve and an access point at the northern end. The established boundary provides a direct access to the northern portion of the Reserve from Humboldt County's Elk River Road. Public access to the southern portion of the Reserve was negotiated in conjunction with the acquisition. That access was secured by grant of easement from PALCO to BLM along Felt Springs Road, which connects to Humboldt County's Newburg Road.

State of California Interest. The State of California interest in the Reserve is an overlying conservation easement granted on February 16, 1999. The conservation easement ensures that all human activities within the Reserve will be consistent with the management goal established in the federal legislation quoted above. After the conservation easement was granted, a Memorandum of Understanding was signed on May 5, 1999, between the designated federal and state management agencies (BLM and DFG) and the Secretary of the California Resources

Agency that directs both BLM and DFG to plan and manage the Reserve for its "fish and wildlife habitat and other ecological values as full cooperating partners."

Other Legal Requirements. Other laws govern management options for the Reserve. These laws include the following:

- Federal and State ESA;
- Migratory Bird Treaty Act;
- Antiquities Act of 1906 and the National Historic Preservation Act;
- National Environmental Policy Act and California Environmental Quality Act; and
- Federal Land Policy and Management Act (FLPMA).

BLM Planning Guidance. The BLM planning process is governed by regulations established pursuant to FLPMA (43 CFR 1600), which require a comprehensive planning approach. Planning requirements are extensive and include a resource-based means of determining desired outcomes and allowable uses or needed actions to achieve the desired outcomes. These regulations are embodied in Section 1601 of the BLM land-use planning manual and section H-1601-1 of the BLM land-use planning handbook (issued November 22, 2000).

The purpose of the plan is to establish management goals, policies, and implementation guidelines to guide future management actions for the Reserve. The plan is intended to ensure that human activities are balanced with the ecological integrity, preservation, and study of lands, fish, wildlife, and forests of the Reserve.

Decision

The decision is hereby made to approve the proposed Resource Management Plan (RMP) for the Headwaters Forest Reserve in Humboldt County, California, as embodied in the *Headwaters Forest Reserve Proposed Resource Management Plan and Final EIS/EIR, Volume 1*, dated September 2003. This plan was prepared under the regulations implementing FLPMA's planning provisions (43 CFR 1600). A joint Environmental Impact Statement (EIS)/Environmental Impact Report (EIR) was prepared in compliance with the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA). The final EIS/EIR is dated September 2003.

Specific management direction for lands within the Reserve is given in chapters 4 and 5 of the RMP. The major decisions include:

- Adoption of all of the detailed Management Goals and Direction comprising chapter 4 of the RMP for
  - species management;
  - restoration of old-growth and aquatic ecosystems;
  - research management;
  - fire management;
  - visual resource management;

- recreation access management;
- cultural resource management;
- management of areas having wilderness characteristics;
- special areas designation and management;
- resource monitoring and evaluation; and
- management revenues and expenditures.

- Adoption of all of the Proposed Alternatives described in chapter 5 of the plan, which include
  - *Watershed Restoration Alternative 1A* – Full re-contour watershed restoration;
  - *Forest Restoration Alternative 2A* – Moderate-intensity forest restoration;
  - *Recreation Management of Southern Access Alternative 3B* – Southern access confined to BLM tours;
  - *Recreation Management of Trail System Alternative 4B* – Limited old-growth contact experience;
  - *Recreation Management of Bicycles Alternative 5B* – Bicycle use in Elk River corridor only;
  - *Recreation Management of Equestrian Use Alternative 6C* – No equestrian use;
  - *Areas with Wilderness Characteristics Alternative 7B* – Exclude younger harvested stands from lands managed for wilderness characteristics;
  - *Special-Area Designation Alternative 8C* – Little South Fork Elk River with tributary and Salmon Creek recommended for Wild and Scenic River designation;
  - *Special-Area Designation Alternative 9A* – State of California Ecological Reserve designation recommended; and
  - *Management Revenue Alternative 10D* – No fees.

The following sections summarize key elements of the adopted management direction described in chapter 4 of the RMP for each program area.

Species Management

- Conduct watershed restoration (see following section) to restore natural runoff patterns, but suspend operations during the wet-season to prevent short-term sedimentation and degradation of threatened aquatic species habitats.
- Conduct forest restoration (see section below) to reduce habitat fragmentation, increase extent of habitat, and reduce potential for catastrophic fire.
- Manage visitors, researchers, restoration workers, and management personnel to prevent the discard of food wastes and other trash so as not to attract predatory corvid species (ravens, crows, and jays).
- Eliminate or control invasive non-native plants using hand tools.
- Continue monitoring of threatened species populations and occurrences of survey-and-manage wildlife species, special-status vascular plant species, and invasive non-native plants, and consider plan amendment/revision as warranted by monitoring results.

Watershed Restoration

- For most existing, abandoned logging roads in the Reserve that have significant sediment yield, remove stream crossings, log landings, and road fills; restore natural topography; and re-vegetate surfaces to native forest species.
- Re-construct trails or convert roads to trails to reduce sediment yield.
- Conduct emergency sediment-reduction actions (i.e., during the wet season) if needed to prevent catastrophic failures of road and trail stream crossings and fills and log landings.

Forest Restoration

- To accelerate recovery of old-growth forest characteristics and reduce fire hazard, manage tree density and shrub cover in younger harvested stands by thinning to variable densities and disposing of cut material onsite (no export of materials).
- Treat existing shrub/sapling stands using two to three entries through the pole stage of stand development.
- Treat existing pole stands with a single entry.

Research Management

- Encourage and facilitate valid ecological research utilizing a permit system.
- Permit overnight occupancy and use of motorized equipment in special circumstances where needed to accomplish research that is important to Reserve management, if disturbance of threatened and endangered species is minimized.

Fire Management

- Prioritize and conduct forest restoration in previously harvested stands (see above) to reduce fire hazard.
- Develop an operational plan for fire suppression in cooperation with the California Department of Forestry and Fire Protection, employing a minimum-impact strategy to suppress all wildland fire.
- Vary suppression response between old-growth forests and harvested stands using helicopter, bucket drops and hand crews in the old-growth forest stands. In the harvested stands fuelbreaks and dozer lines, particularly along ridgetops, will be used. Chemical retardants and foam suppressants may be used in both areas, subject to appropriate guidelines to protect watercourses.

Visual Resource Management

- Apply the BLM visual resource management system to the Reserve, requiring that visual effects of activities be limited according to guidelines for specific management classes, which vary between old-growth stands, older harvested stands, younger harvested stands, and trailhead areas.

Recreation Access Management

- Conduct and facilitate year-round environmental interpretation and education programs in the Reserve.

- Develop minimal necessary facilities to provide for interpretation of appropriate historical properties and ecosystem values in the Elk River corridor.
- Provide frequent contact between visitors and backcountry rangers to promote environmental education and maintain ecological integrity.
- Convert a portion of the Elk River Road to the Elk River Corridor trail suitable for walking and bicycle use, with the first one-mile developed for universal access, while minimizing the potential for sedimentation of Elk River.
- Construct/reconstruct a trail system to interior portions of the Reserve that provides limited contact with old-growth forest stands:
    - Decommission the existing Little South Fork Elk River road/trail and construct a new loop trail through an old-growth forest stand that is separated from the primary old-growth forest grove.
    - Construct a short spur trail from the existing Salmon Creek trail to Salmon Creek, at the edge of the main old-growth forest grove.
    - Construct dual return loop trails at the end of the existing Salmon Creek trail, to pass through an old-growth stand that is separated from the main old-growth forest grove.
- All trails are available for day-use only.
- Construct developed picnic sites only along the first three-quarters of the Elk River Corridor trail.
- Provide for guided interpretative hikes to the southern access portion of the Reserve (to Salmon Creek trailhead and Salmon Creek trail).
- Provide for bicycle use on 2.9 miles of the Elk River Corridor trail from the Elk River Trailhead to the Elk River crossing where the new Little South Fork Elk River trail begins. Use would be subject to monitoring and evaluation.
- Restrict all other recreation access to the interior of the Reserve to foot travel.
- Allow dogs on the Elk River Corridor trail if on leash or under voice control of owners. Use would be subject to monitoring and evaluation.

Cultural Resource Management

- Nominate the Old Military Trail, a ridgetop prehistorical site, and the Falk historical district to the National Register of Historic Places. Provide appropriate protection of these properties.
- Work with Native American tribes for the practice of traditional activities on a case-by-case basis.

Management of Areas Having Wilderness Characteristics

- Manage lands designated as having wilderness characteristics (4,400 acres) in a manner to maintain those characteristics as specified in the RMP.
- Exclude younger harvested stands and areas of intensive watershed restoration from lands managed to maintain wilderness characteristics.

Special Area Designation and Management

- Designate the entire Reserve as a Special Recreation Management Area.

- Recommend Wild and Scenic River designation for the Little South Fork Elk River and its tributary and for Salmon Creek.
- Designate the entire Reserve as a State of California Ecological Reserve, with exceptions for:
  - aircraft operation and motorized vehicle use for emergency operations, monitoring, research, and other management functions;
  - dogs on the Elk River trail under conditions noted above;
  - swimming for research and monitoring purposes; and
  - overnight occupancy for research and monitoring purposes.
- Designate the Reserve closed to off-highway vehicles.

Resource Monitoring and Evaluation

- See "Plan Implementation Monitoring and Plan Revision/Amendment" section below.

Management Revenues and Expenditures

- Do not charge fees for general public access to the Reserve.

In reference to the implementation of the above decisions, any party/person adversely affected by a decision to implement some portion of the Headwaters Forest Reserve RMP may appeal such action to the Interior Board of Land Appeals (IBLA) at the time the action is proposed for implementation.

Alternatives

As described in chapter 5, alternatives were identified for resolution of each of the significant issues raised during the public/agency scoping process. Ten issues were identified and two to four alternatives were formulated for resolution of each issue. The following is a summary of the management alternatives for each major issue. The summary also depicts the selected alternative as well as the alternative that is environmentally preferred.

Summary of Management Alternatives:

Watershed Restoration Alternatives

Issue: What level of watershed restoration should generally be pursued?

Alternative 1A: Full re-contour watershed restoration (environmentally preferred, selected)

Alternative 1B: Hydrologic-stabilization watershed restoration

Alternative 1C: No additional watershed restoration (no action)

Forest Restoration Alternatives

Issue: What intensity of density management should be conducted in harvested stands to accelerate restoration of old-growth forests?

Alternative 2A: Moderate-intensity forest restoration (environmentally preferred, selected)

Alternative 2B: Low-intensity forest restoration

Alternative 2C: No forest restoration (no action)

Recreation Management Alternatives: Southern Access

Issue: Should access to the southern trailhead(s) be limited to escorted vehicles or guided hikes, or should access be available to unescorted individual vehicles at visitors' discretion (during daylight hours in annual periods that avoid disturbance to breeding northern spotted owl and marbled murrelet and damage to roads and trails)?

Alternative 3A: Southern access available to individual vehicles

Alternative 3B: Southern access confined to BLM tours (no action, environmentally preferred, selected)

Alternative 3C: No southern access

Recreation Management Alternatives: Trail System

Issue: What trail system on the Reserve would best balance the need to provide recreation access to the public, while preserving the unique values of old-growth forests consistent with the purpose for which the Reserve was created?

Alternative 4A: Extensive old-growth contact experience*

Alternative 4B: Limited old-growth contact experience (environmentally preferred, selected)

Alternative 4C: No old-growth contact experience; maximum preservation of old-growth forests

Alternative 4D: Existing trail system (no action)

Recreation Management Alternatives: Bicycle Use

Issue: Is bicycle use in portions of the Reserve consistent with ecosystem preservation and general public access for recreation purposes?

Alternative 5A: Bicycle use on specially-designed trails*

Alternative 5B: Bicycle use in Elk River corridor (selected)

Alternative 5C: No bicycle use (no action, environmentally preferred)

Recreation Management Alternatives: Equestrian Use

Issue: Is equestrian use in portions of the Reserve accessible from the Elk River Trailhead consistent with ecosystem preservation and general public access for recreation purposes?

Alternative 6A: Equestrian use on trails accessed from Elk River Trailhead*

Alternative 6B: Equestrian use on Elk River Corridor trail*

Alternative 6C: No equestrian use (no action, environmentally preferred, selected)

Areas with Wilderness Characteristics

Issue: Should some portions or all of the Reserve be managed to maintain and enhance wilderness characteristics under provisions of Sections 201 and 202 of FLPMA?

Alternative 7A: Entire inventory area managed for wilderness characteristics

Alternative 7B: Exclude younger harvested stands from management for wilderness characteristics (environmentally preferred and selected, together with exclusion of lands subject to intensive watershed restoration)

Alternative 7C: No management for wilderness characteristics (no action)

Special-Area Designation Alternatives: Wild and Scenic Rivers

Issue: Should eligible streams in the Reserve be recommended for inclusion in the National Wild and Scenic Rivers?

Alternative 8A: All eligible streams recommended for Wild and Scenic River designation (environmentally preferred)

Alternative 8B: No stream recommended for Wild and Scenic River designation (no action)

Alternative 8C: Little South Fork Elk River with tributary and Salmon Creek recommended for Wild and Scenic River designation (selected)

Special-Area Designation Alternatives: Ecological Reserve

Issue: Should the Reserve be recommended to the California Fish and Game Commission for designation as an Ecological Reserve under provisions of Title 14 Section 630 of the California Fish and Game Code?

Alternative 9A: Ecological Reserve designation recommended (environmentally preferred, selected)

Alternative 9B: No Ecological Reserve designation recommended (no action)

Management Revenue Alternatives

Issue: Should access fees (or in-lieu labor donation) be charged to users of the Reserve?

Alternative 10A: Universal user fee

Alternative 10B: BLM-sponsored tour user fee

Alternative 10C: Non-tour user fee

Alternative 10D: No fees (no action, environmentally preferred, selected)

Note: The alternatives marked by an asterisk (*) are found to require construction of more-than-minimal recreation facilities and are therefore in conflict with legislative direction for management of the Reserve.

Management Considerations/Rationale

The agencies received more than 6,400 comments on the Draft Plan/EIS/EIR. Most of the comments were recommendations that fell into two general types: those recommending maximum protection and enhancement of the Reserve's ecosystems, and those recommending emphasis on public use of the Reserve for recreational opportunities. Most commenters who favored recreation emphasis did not view such activities as compromising ecological integrity, while those who favored ecosystem protection clearly did.

The issues most frequently addressed by public agencies, interest groups, and the general public included

- equestrian and bicycling uses in the Reserve;
- use of the southern access by the public;
- designation of Wilderness Study Area for some or all of the qualifying lands in the Reserve;
- designation of eligible streams as Wild and Scenic Rivers; and
- user fees.

After considering all of the submitted comments, the management agencies (BLM/DFG) concluded that the draft selection of alternatives was still appropriate, with two exceptions:

- bicycle use will be allowed on 2.9 miles of the Elk River Corridor trail; and
- Wild and Scenic River designation will be recommended for Salmon Creek and Little South Fork Elk River and its tributary.

The following sections describe the rationale for the decision.

Watershed Restoration. Sedimentation of streams in the Reserve has been substantial due to previous timber harvest activities and road placement over 59 percent of the Reserve. Many abandoned logging roads and landings are subject to mass failure into watercourses during the wet season, requiring extensive watershed restoration to restore habitat for threatened anadromous fish species.

The full re-contour approach provides the greatest improvement of mass stability, compared to hydrologic stabilization, which would require periodic maintenance in perpetuity. No additional adverse effects on special-status species are expected to result from taking the more intensive approach, which is also the environmentally preferred alternative.

Forest Restoration. Younger regenerating stands, comprising 31% of the Reserve, cause significant fragmentation of old-growth forest stands and, due to high fuel loading, pose an increased fire hazard to the entire Reserve. Thinning of these sites reduces fuel loading, accelerates the development of old-growth forest characteristics, and is essential to restoring and maintaining critical habitat for threatened marbled murrelets and northern spotted owls.

A more intensive approach, which includes thinning of pole stands in addition to shrub/sapling stands, is key to reducing fuel loading and to maximizing development of old-growth forest characteristics. No additional adverse effects on special-status species are expected to result from taking the more intensive approach, which is also the environmentally preferred alternative.

Recreation Management of Southern Access. Public access to the southern portion of the Reserve provides visitors with the opportunity to view and come in contact with an old-growth forest. Guided hikes on the southern access road and trail provide a shorter and easier hike to an old-growth forest stand. Managing access to the southern portion of the Reserve is the environmentally preferred alternative. It supports a social-environment need that increases public awareness of resource values while minimizing the effects on old-growth habitats and associated special status species.

The easement across PALCO lands to the southern portion of the Reserve boundary is "restricted" to ensure that private property rights are respected and potential trespass incidents are kept to a minimum. In this situation, public use is for through traffic to the Reserve boundary with no stopping along the roadway. In addition, the route is an active logging road and controlled access provides the public with safe travel conditions to the Reserve.

Recreation Management of Trail System. Provision of a trail system in the Reserve provides opportunities for visitors to view and experience an old-growth forest. The proposed alternative allows visitor contact with old-growth stands from both the northern and southern trailheads, allowing good opportunities for viewing the main old-growth grove and for walking through stands of old-growth that are separated from the main grove. The proposed trail system is the environmentally preferred alternative. It provides an important social-environment need, and increases public awareness of resource values that require public support for their protection. Human contact with old-growth forest presents some risk of habitat degradation and risk to threatened species populations (marbled murrelets and northern spotted owls), either through

direct disturbance or, as important, through predatory corvid species (ravens, crows and jays) attracted to human food wastes. An extensive trail system into the main old-growth growth forest would require more than minimal facilities, which is precluded by the legislation authorizing establishment of the Reserve.

Recreation Management of Bicycle Use. Bicycle use on the 2.9 mile Elk River Corridor trail can be provided without upgrading existing facilities. The overall trail is relatively flat and rolling, and is presently wide enough to support both pedestrians and bicyclists. Consequently, this use is not anticipated to cause trail-user conflicts or trail erosion and sediment yield to Elk River. No bicycle use is identified as the environmentally preferred alternative because the risk of such problems would be avoided.

Allowing bicycle use on other trails in the Reserve would require construction of trails having larger dimensions and more complex structure to check speeds, relative to the minimal dimensions and less complex structure required for pedestrian-only access. Such more-than-minimal facilities are precluded by the authorizing legislation which established the Reserve. Other managed recreation areas in the region, as documented in the Draft and Proposed Plan/FEIS/EIR, are available for, and are more suited to, bicycle use.

Bicycle use will be monitored for compliance with these use provisions on the Elk River Corridor trail only, and for trail-user safety and for trail-erosion impacts. Methods for ensuring compliance include signing, use of natural barriers, ranger patrols, and bicycle parking at the terminous of the Elk River Trail. Should significant impacts develop, bicycle use in the Reserve will be evaluated and additional measures applied to protect the impacted resource(s) including, but not limited to closure of the corridor to bicycle use.

Recreation Management of Equestrian Use. Numerous aspects of equestrian use are discussed in the Proposed RMP/Final EIS. Much of the decision rationale for not allowing equestrian use is based on the placement of trail systems on steep, erosive soils of the "Wildcat" soils group. The instability of this soil group with input from extensive literature citations, local inventories, and professional input from numerous agencies and organizations, including trail design professionals, identified significant potential effects with respect to equestrian trail use and required management infrastructure.

Additional rationale for not allowing equestrian use in the Reserve includes the legislative mandate which directed "construction of minimal necessary facilities within the Headwaters Forest so as to maintain the ecological integrity of the Headwaters Forest." The Proposed RMP interprets this direction, to preclude additional infrastructure for horse use, such as expanded parking area(s), stock watering sources along trails, and larger trail dimensions relative to the minimal dimensions required for pedestrian-only access. Exclusion of equestrians from the Reserve is the environmentally preferred alternative. Other managed recreation areas in the region, as documented in the Draft and Proposed Plan/FEIS/EIR, are available for, and are more suited to, equestrian use.

Management of Areas Having Wilderness Characteristics. The extent of ground disturbance and human and mechanized activity during watershed and forest restoration is not consistent

with the definition of wilderness in the Wilderness Act, because the naturalness criteria would not be met within the life of the RMP. The remainder of the Reserve will continue to meet the naturalness criteria under direction provided in the authorizing legislation and in other elements of the RMP. The selected alternative is environmentally preferred to management of the entire Reserve for wilderness characteristics. Such management would preclude aspects of the environmentally preferred restoration programs.

Special Area Designation and Management: Wild and Scenic Rivers. Protections afforded by Wild and Scenic River designation would augment river protection beyond the authorities of the Headwaters Forest legislative mandate. For this reason, designation of all eligible Reserve streams into the National Wild and River System (NWSRS) would be environmentally preferred. However, segments 1 and 2 of the South Fork Elk River are not recommended for designation as components to the NWSRS. The primary reason is that potential land and resource uses such as timber harvesting and road building on adjacent private industrial forest land make it highly uncertain whether the identified outstandingly remarkable values could be fully protected.

BLM policy states that in situations where the BLM is unable to protect or maintain any identified outstandingly remarkable values, river segments may be determined suitable only if the entity or agency with land use planning responsibility supports the finding that these values exist on the river segments and commits to developing a cooperative plan working with local governments, conservation organizations, or private landowners to protect the identified river values. To this end, the BLM will work cooperatively and collaboratively with the stakeholders involved to facilitate efforts for designation of the South Fork Elk River under Section 2(a)(ii) of the Wild and Scenic Rivers Act if there is an expressed interest.

Special Area Designation and Management: State of California Ecological Reserve. Ecological Reserve designation by the State of California is consistent with the State role in management of the Reserve and provides additional ecosystem protections derived from state authorities and is the environmentally preferred alternative.

Management Revenue: User Fees. A no-user fee alternative is selected and will have the effect of encouraging visitor use particularly from local users who frequently visit the Elk River corridor. The proposed alternative is not expected to significantly increase visitation into old-growth portions of the Reserve. A universal user fee is considered the environmentally preferred alternative because it would presumably reduce visitation use overall including use inside old-growth groves where effects to resources are most likely to occur.

Mitigation Measures

Detailed management direction comprising chapter 4 of the RMP contains mitigation measures for past, present, and future effects of human activity. This management direction focuses upon the statutory requirement to conserve and study the Reserve's fish, wildlife, and forests, while providing public recreation opportunities. None of the alternatives selected for resolution of key issues would result in unavoidable significant impacts on the environment. Accordingly, all practicable means to avoid and minimize environmental harm have been adopted. Important mitigation measures for several key resources are described in the following sections.

Threatened and Endangered Species. BLM has formally consulted with FWS and National Oceanic and Atmospheric Administration, Fisheries Division (NOAA) regarding effects of plan adoption on federally-listed species in the Reserve (i.e., marbled murrelet, northern spotted owl, and anadromous fish species). These agencies have determined that adoption and implementation of the RMP is not likely to jeopardize the continued existence of these species, and that many aspects of the plan will contribute to species recovery. The proposed RMP includes reasonable and prudent measures for protection of these species. The final Biological Opinions specify terms and conditions, conservation recommendations, and additional monitoring and reporting requirements that supplement proposed monitoring described in chapter 4 of the RMP. The approved FWS and NOAA Biological Opinions are available for review at the BLM's Arcata Field Office.

Water Quality. The selected watershed restoration element of the RMP is intended to maximize reductions of sediment yield from roaded and harvested portions of the Reserve and to maximize restoration of stream water quality. Because the watershed restoration program entails considerable earthwork, short term increases in sediment yield are possible, depending upon the character and timing of individual storms following major restoration actions. Best management practices (see "Implementation Guidelines" for "Watershed Restoration" in RMP chapter 4) will be used to minimize such adverse events, and potential effects are not likely to be significant.

Fire Protection. Fuels reduction and fire suppression are described in detail in the Fire Management element of the RMP (chapter 4). The selected forest restoration program will significantly reduce existing fire hazards. Fire suppression will vary between old-growth forests and harvested forests, but specific elements will be determined in collaboration with the state agency (CDF) responsible for management of wildland fire. Suppression guidelines in the RMP are expected to provide reasonable assurance that fires originating in the Reserve will be contained and not spread to adjoining commercial timberlands.

Cultural Resources. Cultural resources in the Reserve have been thoroughly inventoried. Guidelines for protection of cultural resources are described in chapter 4 of the RMP. All management actions will comply with the National Historic Preservation Act.

Native American Interests. No adverse effects to interests of Native American Tribes are expected to result from plan implementation. Native American tribal requests to practice traditional activities or participate in interpretive activities within the Reserve will be considered on a case-by-case basis.

Plan Implementation Monitoring and Plan Revision/Amendment

Effects of implementation of the RMP will be monitored as described in the Resource Monitoring and Evaluation section of chapter 4 (pages 4-47 through 4-49), including table 4-7 in the RMP. That section describes attributes to be monitored, purpose of monitoring, indicator to be measured, frequency and duration of measurement, and results indicating need for reevaluation of management actions. Evaluation of monitoring will be conducted at least every

four years and will be structured around nine plan performance issues specified in BLM Handbook 1601-1 and listed on table 4-7 (following page 4-48) of chapter 4 of the plan.

As described in table 4-7 of the RMP, visitor compliance with restrictions, visitor safety, user conflicts, and trail conditions will be monitored continuously and results compiled annually. Two elements of the RMP regarding visitation will be carefully evaluated in the coming years: bicycle use and dog control. Management concerns are that bicycle use be limited to the Elk River Corridor trail, user conflicts are rare, and the trail wear/erosion is not accelerated. If planned signing and monitoring is ineffective in assuring that these desired conditions are met, bicycle use in the Reserve will be reconsidered and additional measures applied to protect the impacted resource(s), including but not limited to closure of the corridor to bicycle use. Similarly, if monitoring detects a significant frequency of unleashed dogs not under owner's voice control and/or harassing wildlife or otherwise damaging resources, dog use will be reconsidered and additional measures applied to protect the impacted resources including, but not limited to closure to dog use.

Public Involvement

Throughout development of the RMP, BLM strived to create an open planning process. This planning process was designed to engage and involve public interest groups from the local to the national level, concerned individuals, federal and state resource agencies, and local and tribal governments. The following is a summary of the collaborative planning process which has led to this Record of Decision.

Public Scoping. A public scoping process for preparation of the RMP and related EIS/EIR was conducted from May 18, 2000 to August 18, 2000. Public and agency input was solicited through three public meetings (in Eureka, San Francisco, and Sacramento), use of a web site offering information and electronic comment input, establishment of dedicated telephone lines for information requests and comment input, and provisions for submission of written comments by mail. Public interest groups were contacted before the three public meetings and invited to make presentations early in the meetings. Detailed notes were taken of these presentations. Thereafter, the meetings were broken down into three or four smaller groups and comments from participating individuals were solicited and recorded on flip charts. The public meetings were favorably received and were effective in generating scoping comments. Scoping comments were transcribed from meeting notes and flip charts and from written comments, were sorted and summarized, and a scoping report was prepared in October 2000.

Draft RMP Development. The BLM Arcata Field Office developed a draft plan, based on the scoping comments and concerns from public resource agencies and local tribal governments. Planning updates were mailed to persons and organizations that had participated in the scoping process. The Arcata Field Manager offered, during the public participation period and in written scoping solicitation materials, to personally meet with any person or organization wishing to express their concerns. Several such meetings occurred during the period of plan development.

Draft RMP/EIS/EIR. A public/agency review period for the draft plan/EIS/EIR was conducted according to requirements of NEPA and CEQA. A 90-day review period was established via

publishing a notice of availability of a draft EIS in the Federal Register on May 31, 2002, transmitting a notice of availability of a draft EIR to the clerk of the County of Humboldt, notifying all trustee agencies, publishing a notice in newspapers of general circulation (i.e., San Francisco Chronicle and Examiner, Oakland Tribune, Redding Record Searchlight, Eureka Times Standard, Trinity Journal, Ukiah Press Democrat), and mailing a notice to all persons and organizations who had previously requested a copy of, or notice of availability of, the draft document. The notification list maintained by BLM was updated during the document preparation process through responses from planning update mailings. Approximately 500 copies of the draft document were distributed in hard copy or CD. The draft document was also posted on the BLM Headwaters web page where it was accessed approximately 260 times during the review period.

The public review period extended from May 31, 2002, to September 6, 2002. During this period, public meetings were held in Eureka (July 16, 2002), Sacramento (July 24, 2002), and San Francisco (July 25, 2002). Court reporters were present at all of the meetings and verbatim transcripts were prepared. These meetings, and various means of submitting comments, were publicized as a Notice of Availability published in the Federal Register. Press releases were provided to public communications media in the three cities to encourage additional media coverage. Several means of submitting comments were provided: giving verbal comments at the public meetings, telephone voice mail center, e-mails, or written letters.

The draft RMP comment period resulted in comments from over 6,400 parties. These comments are grouped as follows:

- three comment letters from public agencies;
- 15 comments letters from organizations;
- 27 verbal commentaries by individuals at public meetings; and
- 6,372 written comments from individuals (e-mail and written), of which 76 were individualized and 6,296 were form letters.

Proposed RMP and Final EIS/EIR. The proposed RMP and Final EIS/EIR were released on October 7, 2003, and a Notice of Availability was published in the Federal Register on October 10, 2003. The document was distributed by mail to a mailing list that had been updated to include persons and organizations that previously commented. A transmittal letter from the Arcata Field Manager described the process for filing protests to the plan within a 30-day period. The protest filing deadline was November 10, 2003.

Consistency Requirements. In accordance with planning regulations at 43 Code of Federal Regulations 1610.3-2(e), the Proposed RMP/Final EIS/EIR was sent to the Governor of California on October 6, 2003, for a 60-day review of consistency with state or local plans, policies, and programs. In a letter dated December 6, 2003, the Governor's Office of Planning and Research (OPR) determined that the Proposed RMP is not inconsistent with any State or local plans, policies or programs.

Plan Protest Resolution. The BLM Director has addressed and resolved all protests concerning adoption of the proposed RMP. According to BLM regulations (43 CFR 1610.5-2), the decision of the BLM Director on plan protests is the final decision of the Department of the Interior.